

1006 Rec'd PCT/PTO 19 SEP 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 114594-02WOUS
		U.S. APPLICATION NO: (If known, see 37 CFR 1.5) 10/549983
INTERNATIONAL APPLICATION NO. PCT/US2004/008361	INTERNATIONAL FILING DATE 19 March 2004	PRIORITY DATE CLAIMED 19 March 2003
TITLE OF INVENTION Financing Structure		
APPLICANT(S) FOR DO/EO/US Gordon L. Monsen, Joseph C. Yiu		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10754998		INTERNATIONAL APPLICATION NO. PCT/US2004/008361		ATTORNEY'S DOCKET NUMBER 114594-02WOUS	
20. Other items or information: A copy of the application as amended, with formal drawings					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 0	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 0	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$ 0	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	148 - 20 =	128	x \$50	\$ 6400	
Independent claims	12 - 3 =	9	x \$200	\$ 1800	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 8500	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				4250	
SUBTOTAL =				\$ 4250	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0	
TOTAL NATIONAL FEE =				\$ 4250	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 4250	
				Amount to be refunded:	\$
				Amount to be charged	\$

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 23-2405 in the amount of \$ 300.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 232405. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

This application is U.S. National Stage of International Application Serial No. PCT/US2004/008361, filed 19 March 2004, and U.S. Provisional Application Serial No. 60/455,754, filed 19 March 2003. The entire disclosure of the parent applications are incorporated herein by reference.

Amend the specification by replacing the first paragraph as follows:

[0001] This application is U.S. National Stage of International Application Serial No. PCT/US2004/008361, filed 19 March 2004, which is a non prov. of provisional of U.S. Provisional Application Serial No. 60/455,754, filed 19 March 2003. The entire disclosure of the parent applications are incorporated herein by reference.


The following applications and/or documents are incorporated by reference:

International Application Serial No. PCT/US2004/008361, filed 19 March 2004, as amended 25 July 2005

U.S. Provisional Application Serial No. 60/455,754, filed 19 March 2003

SEND ALL CORRESPONDENCE TO:

customer number 38492
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, NY 10019


SIGNATURE
DAVID E. BOUDRY
NAME
REG. No. 36,461
REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AS DESIGNATED/ELECTED OFFICE (DO/EO/US)

10/549983

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Applicant(s): Gordon L. MONSEN, et al.
Serial No.: National Stage of PCT/US2004/008361 Art Unit: unassigned
Filed: September 19, 2005 Examiner: unassigned
Title: FINANCING STRUCTURE

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.: EL363523894US
Date of Deposit: September 19, 2005

I hereby certify that the following:

Return postcard
Application Data Sheet (2 pages)
This Certificate of Express Mailing
Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)
Concerning a Submission under 35 U.S.C. § 371 (3 pages)
Patent specification consisting of: cover page, written description (28 pages), claims (23 pages), abstract (1 page)
Drawings (8 sheets, informal)
Declaration and Power of Attorney (2 pages, unexecuted)
Request to be Made Special Under 37 C.F.R. § 1.496(b)
Information Disclosure Statement (1 page)
Form PTO-1449 (1 page)
15 references

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the Date of Deposit indicated above in an envelope addressed to the Mailstop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 19, 2005

By: 
Signature of Person Making Deposit

WILLKIE FARR & GALLAGHER LLP
787 Seventh Avenue
New York, NY 10019
(212) 728-8757

PATENT

101549983
Atty. Docket No. 114594-02WOUS

Express Mail Label No. EL363523894US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AS DESIGNATED/ELECTED OFFICE (DO/EO/US)

JC17 Rec'd PCT/PTO 19 SEP 2005

Applicant(s): Gordon L. MONSEN, et al.
Serial No.: National Stage of PCT/US2004/008361 Art Unit:
Filed: September 19, 2005 Examiner:
Title: FINANCING STRUCTURE

Mailstop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO BE MADE SPECIAL UNDER 37 C.F.R. § 1.496(b)

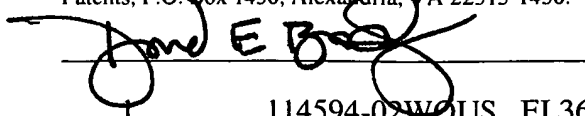
Applicant respectfully requests that this application be "taken up out of order" as provided by 37 C.F.R. § 1.496(b).

The Written Opinion (which is a preliminary International Preliminary Examination Report) prepared by the U.S. Patent and Trademark Office states that the claims satisfy the criteria of PCT Article 33(1)-(4) as to novelty, inventive step and industrial applicability. However, that Written Opinion was issued ten months after the deadline imposed by treaty, and thus there has not been sufficient time for full Chapter II proceedings.

The application contains, or is amended to contain, only claims that, it is believed, will be indicated in an International Preliminary Examination Report prepared by the U.S. Patent and Trademark Office as satisfying the criteria of PCT Article 33(1)-(4) as to novelty, inventive step and industrial applicability, when such Report is issued.

Because the delay was solely caused by the Office, Applicant submits that this application qualifies under 37 C.F.R. § 1.496(b) to be "taken up out of order."

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on September 19, 2005 as Express Mail, Post Office to Addressee, Express Mail Label No. EL363523894US, in an envelope with sufficient postage addressed to Mailstop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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It is believed that this paper occasions no fee. The Commissioner is authorized to charge any additional required fees, or credit any overpayment, to Deposit Account 23-2405, Order No. 114594-02WOUS.

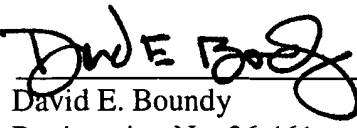
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Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: September 19, 2005

By:


David E. Boundy
Registration No. 36,461

Mailing Address:
WILLKIE FARR & GALLAGHER LLP
787 Seventh Avenue
New York, New York 10019
(212) 728-8757